

Adopted	Rejected
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## COMMITTEE REPORT

YES:	10
NO:	0

### MR. SPEAKER:

*Your Committee on Labor and Employment, to which was referred House Bill 1828, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 4, line 11, strike "board".
- 2 Page 4, delete line 42, begin a new paragraph and insert:
- 3 "SECTION 2. IC 4-15-2-32 IS AMENDED TO READ AS
- 4 FOLLOWS [Effective July 1, 1999] [EFFECTIVE JULY 1, 1999]: Sec.
- 5 32. (a) An appointing authority may lay-off employees in the classified
- 6 service whenever it is deemed necessary, due to shortage of work or
- 7 funds, or the abolishment of a position, or other material change in
- 8 duties or organization. For purposes of this section, offices and
- 9 positions of employment in each county where the division of service
- 10 operates is considered one autonomous unit and lay-off procedures will
- 11 apply within the county affected by the lay-off. When a lay-off is
- 12 necessary, the appointing authority will determine in which class or
- 13 classes the lay-off or lay-offs will occur, the number of employees to
- 14 be laid off within each affected class, the county or counties where

lay-offs are to occur and give written notice to the director a reasonable time before the effective date of the lay-off. The director, in accordance with the rules, shall compute ~~retention points to determine the order of lay-off within each county;~~ **seniority of the employees within the affected class who are to be laid off.** The ~~retention points~~ seniority will be computed as of the effective date of the lay-off and will reflect systematic consideration of ~~seniority; service ratings; length of state service and~~ veterans' preference status. ~~and employment status.~~ The director shall provide the appointing authority with a written notice containing the names and ~~retention points~~ **seniority** of employees to be laid off in each county, and such orders relating to the lay-off as deemed necessary to secure compliance with this section.

(b) Any employee in the classified service who has been notified of pending lay-off and who has permanent status in a lower class has the right, provided ~~they have more retention points;~~ **the employee has greater seniority** to displace within the same affected county, the employee with the least ~~retention points~~ **seniority** in that lower class. Any employee in the classified service who has permanent status in a lower class and is displaced by another employee has the right, provided ~~they have more retention points;~~ **the employee has greater seniority** to displace within the same affected county the employee with the least ~~retention points~~ **seniority** in that lower class. This procedure shall continue until the employee with the least ~~retention points~~ **seniority** in the lowest class, in the same affected county, of the same appointing authority has been reached, and if necessary, laid off. Should a layoff result in the closing of all offices in a county, any employee in the classified service who has been notified of pending lay-off and who has permanent status in the class from which they are laid off may, provided they have more ~~retention points;~~ **seniority**, displace within the division of service in any contiguous county the employee with the least ~~retention points~~ **seniority** in that class.

(c) Employees who have been reduced or laid off will be placed on appropriate ~~re-employment~~ **reemployment** lists in accordance with rules established by the director. Those employees with the highest ~~retention points~~ **seniority** in each affected class will be placed at the top of the list followed by employees ranked in descending order. An employee who is laid off will retain ~~re-employment~~ **reemployment** rights for a period of one (1) year from the lay-off date. During this one

1 (1) year period, the appointing authority, for the division of service  
 2 affected, shall not hire nor promote anyone into a class affected by the  
 3 lay-off until all laid off employees on the ~~re-employment~~  
 4 **reemployment** list for that class have been reinstated or decline the  
 5 position when it is offered. Employees who fail to respond within five  
 6 (5) days, to a written offer sent to their last known address, will be  
 7 deemed to have declined. Even though a lay-off applies only to affected  
 8 counties, ~~re-employment~~ **reemployment** rights extend to all counties,  
 9 and at the request of the laid off or reduced employee, ~~their~~ **the**  
 10 **employee's** name will be placed on the appropriate ~~re-employment~~  
 11 **reemployment** list for any or all counties.

12 Delete page 5.

13 Page 6, delete lines 1 through 22.

14 Page 6, line 31, after "seniority" delete "position".

15 Page 6, line 34, delete "commission" and insert "**director**".

16 Page 6, line 37, delete "position".

17 Renumber all SECTIONS consecutively.

(Reference is to HB 1828 as introduced.)

**and when so amended that said bill do pass.**

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Representative Liggett